

From: mrivan@mediaone.net@inetgw
To: Microsoft ATR
Date: 1/15/02 7:27am
Subject: Microsoft Settlement

To:

Renata B. Hesse
Antitrust Division
U.S. Department of Justice

From:

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Re: Microsoft prosecution

People:

I still remember the last thing Microsoft produced which, as far as I know, was a legitimate creation of their own company. It was a Floating-Point BASIC Interpreter for the old Apple II Machines that came out around 1979 or so. Since then, it has been all downhill for MS.

It is common knowledge that Bill Gates stole the MS-Dos operating system from his partner at Altair, then sold IBM on using it for the OS in their first computers which appeared several years after the Apples.

Gates' next lie read like this: "If you want a personal computer that you can hook up to your business mainframe, it will have to be an IBM". Not an ounce of truth in it, but between the cosmetic value of the lie and IBM's massive market share, it enabled MS to capture a good 85% of market share from what had been mostly Apple's territory.

Later, after Apple had begun incorporating mouse and windows technology into their later Apple II's, the Apple III, the Lisa and early Macs, MS produced the first version of Windows, for which Apple promptly and properly sued them for copyright infringement. Apple won that round, and MS's "Trash Can" has been a "Recycle Bin" ever since.

Unfortunately, the lies and thievery from Gates & Co. was far from over. Since that time, every innovation that has come down the pike has run headlong into Bill Gates. Innumerable companies have had to make the choice between selling out, licensing the technology

to MS or being driven out of business by being undersold. To this day, hardware companies sell their wares at near cost, simply in an effort to undercut the competition and keep others like Apple from regaining any market share, then they make their profits from the software later. I own a Macintosh machine. The machine is equipped with a package called "Virtual PC", which allows me to run Windows on the Mac and use any of MS's software, should I choose to do so. I have consistently found Mac software to be far more easy, user-friendly and stable than the MS equivalents. Still, when I visit most software vendors, I find them reluctant, almost fearful, of carrying Mac software. Chains such as Walmarts get their stock thru central buyers which have shown reluctance in the extreme to carry anything BUT MS compatible software. In one case, a chain called "Best Buy", I discovered Mac and Windows versions of identical software on the shelf together, with the Mac version selling at \$10 more than the MS version. I summoned the store manager and demanded an explanation. I was told that if he did not price the products in that fashion, MS would pull all their products from his shelves. This has not been the exception, but the rule. How blatant does MS have to act before they can be found guilty of racketeering? How obviously does a monopoly have to conduct themselves to be recognized for what they are? And how many people will have to be hurt or driven out of business before someone takes this monster in hand and administers justice???

The dangers of such a concentration of power go far beyond simply fair business practices. Their efforts, for instance, to modify Sun's JAVA language earned them lawsuits and produced a certain degree of confusion among web programmers. Their regular introduction of new media formats without the software to allow other systems to immediately keep up with the changes provides them with additional pressure to sidestep fair competition. And thruout these efforts, there is always the MS database, in which a great deal of personal information is kept. Does a database of personal information provide a threat in and of itself? Of course not. I am sure Apple has my name and address somewhere in its files. But think of the back-door that MS gave to the NSA, which allows them to enter anyone's computer, anywhere in the world, examine the hard drive and even read and write on that drive with complete concealment. When the Chinese discovered that, they began a campaign to eliminate Windows from every machine in their country and replace it with Unix. Think also of the Eschalon program, which has had Japanese and German authorities angry at us in the USA for some time now, as they have justifiable fears of corporate espionage if that aforementioned "back-door" gets into the wrong hands.

Right now, business has almost no alternative to Windows. And since Windows is nearly completely borrowed or stolen technology, several years behind Apple and others, and since some real security threats exist and grow more ominous on a daily basis, something MUST be done

and done soon to eliminate this threat.

The only solution is to deal with Microsoft thru the courts, in the most appropriate way possible, under the RICO laws as racketeers. By taking them in hand, forcefully, and compelling them to adopt practices that will open the market to real competition, you will find that rather than hindering development, it will enhance the opportunities for competing companies to enter the marketplace and speed the development of new technology. The companies are already out there, working on new ideas, developing approaches to market their ideas while defending their battlements from the MS assaults that will surely head their way when the threat of innovation becomes visible.

There are nine states at this time that disagree with the DOJ resolution of the case against MS. This may be the last opportunity to wield the sword of the Law against a seemingly unassailable threat.

I beg you, use the power that you have in this just cause. For just one of hundreds of sources of more background and documentation of the illegal and anti-competitive practices of MS, I refer you to this website...

<<http://hive.me.gu.edu.au/~csand/md/0soft.html>><http://hive.me.gu.edu.au/~csand/md/0soft.html>

Thank you for your attention to this critical issue. Your response would be appreciated and a dialogue welcomed.

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